

**NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.**

DATE: October 20, 2010

TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: November 2, 2010 - Election Day  
November 10, 2010 - Town Council Meeting  
December 8, 2010 - Town Council Twentieth Re-  
Organizational Meeting

Special Recognition - Joan Doyle Roth

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - September 29, 2010

**(CA)** AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Harbor Commission - September 13, 2010

2. Board of Fire Engineers - October 5, 2010

3. Harbor Commission - October 4, 2010

4. Zoning Board of Review - September 13, 2010

5. Fourth of July Committee - August 4, 2010

6. Bristol County Water Authority Board of Directors - September 15, 2010
7. Bristol County Water Authority Public Relations/Personnel Committee - October 7, 2010
8. Bristol County Water Authority Audit Finance Committee - October 7, 2010
9. Bristol County Water Authority Engineering Committee - October 7, 2010
10. Conservation Commission - April 5, 2010
11. Conservation Commission - September 13, 2010

B. OLD BUSINESS

1. George Vezina, 193 State Street - request for a handicap parking space in vicinity of residence (193 State Street), **2<sup>nd</sup> reading for adoption**
2. Dominic Raiola, 45 Shore Road re flooding from recent storm (spring 2010), **continued from September 29, 2010**
3. Raymond F. Brierly, d/b/a Bristol Kayak Center, 251 Thames Street - request for permission to park a trailer for the storage of kayaks, adjacent to the State Street boat ramp, from April 1<sup>st</sup> through October 31<sup>st</sup>, **continued from September 15, 2010**
4. Kerry Tyson, 30 Walley Street - request to designate Walley Street as a two-way street with a dead end at its intersection with Hope Street, **continued from September 15, 2010**
  - a. Recommendation - Town Administrator and Police Chief (supporting memoranda and photos re survey attached)
  - b. Recommendation - Director of Public Works
5. Town Solicitor Ursillo re response to the petition of Lois Castigliego Ferreira

requesting amendment or enforcement of the Town Code concerning maintenance of vacant lots (matter heard on August 18, 2010)

6. Town Solicitor Ursillo re recommendation to review the conditional Victualling License granted to Ardy Jagne, d/b/a My Shisha Café, 261 Wood Street (license granted on September 15, 2010)
7. Assistant Town Solicitor Teitz re resolution creating a Historic District Advisory Committee (in regards to petition of Judith M. Anderson heard on July 28, 2010)
8. Assistant Town Solicitor Teitz re response to proposal of Ronald Rodrigues to establish local tax credits for historic properties (matter heard on September 15, 2010)
9. Federal Energy Regulatory Commission, Office of Energy Projects (Brochure) re update concerning the Weaver's Cove Energy Bay Berth Project

#### BB. SPECIAL /STATUS REPORTS

1. Town Administrator Mederos re Department Head Reports
  - a. Water Pollution Control - June, 2010 through September, 2010
  - b. Community Development Block Grant (CDBG) - July, 2010 to September, 2010
  - c. Fire & Rescue - fiscal year (July), 2010 through September, 2010
  - d. Public Works - May, 2010 through August, 2010 inclusive
  - e. Building Inspection - May, 2010 through September, 2010 inclusive
  - f. Police - May 19, 2010 to October 15, 2010

#### C. PUBLIC HEARINGS

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2<sup>nd</sup> reading for adoption (continued from September 15, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)**
  - a. Nicholas Ratti, Jr., 28 Hydraulion Avenue re correspondence in opposition to wind energy
  - b. Nicholas Ratti, Jr., 28 Hydraulion Avenue re supplemental correspondence
2. Alden Simons, d/b/a Li'l Ry's Consignments, 500 Metacom Avenue, Unit D - request for a Junk and Second Hand Dealer's License
3. Carolyn Aspinwall for East Bay Educational Collaborative, d/b/a The Sports Exchange, 22 Gooding Avenue, Unit 2 - request for a Junk and Second Hand Dealer's License

D. ORDINANCES

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2<sup>nd</sup> reading for adoption (continued from September 15, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)** (see item C1 also)
2. Ordinance #2010-19, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, (one-hour parking spaces on Franklin and High Streets adjacent to 349 High Street), **2<sup>nd</sup> reading for adoption**
3. Ordinance #2010-20, CHAPTER 10, Environment, Article II, Noise, Sections 10-33, Definitions and 10-41, Specific prohibited acts, **1<sup>st</sup> reading**

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for October, 2010
2. Tax Assessor Spagnolo - Recommended Abatements & Additions for October, 2010 (supplemental)

**(CA) F. APPOINTMENTS**

**Approval of consent agenda="Motion to approve advertising these Appointments."**

1. Public Service Appointments
  - a. Christmas Festival Committee
    1. Antonio Teixeira, Chairperson, Christmas Festival Committee re proposed 2010-2011 membership list
  - b. Eastern Rhode Island Cooperative Extension (to fill vacancy of 2006)
  - c. Waypoyset Preserve Trust (to fill vacancy, term to expire January, 2012)
    1. Ronald E. Roscoe, 1 Sousa Street - interest/appointment
  - d. Historic District Commission
    1. Anthony Margiotta, 736 Hope Street - resignation
  - e. Economic Development Commission
    1. Andrew Tyska, 99 Poppasquash Road - resignation
  - f. Redevelopment Agency (to fill vacancy, term to expire December, 2010)

1. Robert Aldrich, 7 Fox Hill Avenue  
- interest/appointment

**(CA)** 2. Public Service Appointments

G. LICENSING BOARD - NEW PETITIONS

1. Ardy Jagne, d/b/a My Shisha Café, 261 Wood Street - Victualling License (review)
  - a. Debbie Luis, 64 Catherine Street, et al  
- petition to allow Ardy Jagne to operate My Shisha Café of 261 Wood Street as a Hookah Lounge
  - b. Town Solicitor Ursillo re recommendation to review the conditional Victualling License granted to Ardy Jagne, d/b/a My Shisha Café, 261 Wood Street (see item B6 also)
2. Alden Simons, d/b/a Li'l Ry's Consignments, 500 Metacom Avenue, Unit D - request for a Junk and Second Hand Dealer's License (see item C2 also)
3. Carolyn Aspinwall for East Bay Educational Collaborative, d/b/a The Sports Exchange, 22 Gooding Avenue, Unit 2 - request for a Junk and Second Hand Dealer's License (see item C3 also)
4. Michael J. Ferreira, d/b/a Gillary's, 198 Thames Street - request for a One-Day Sunday Dancing and Entertainment License (event to be held on October 31, 2010)
  - a. Recommendation - Town Administrator and Police Chief
5. John DaSilva, d/b/a Up On The Roof Banquet Facility, 400 Metacom Avenue - request for a Dancing and Entertainment License
  - a. Recommendation - Town Administrator and Police Chief
6. Michael B. Siino and Stephen Blount, d/b/a Nacho Mamma's, 76 State Street - request for a BV Limited Intoxicating Beverage License

(to proceed, call for public hearing December 8, 2010)

a. Recommendation - Police Chief

7. Byron Ryner, d/b/a All Island Landscape, 2829 East Main Road, Portsmouth, RI - request for a Drainlayer's License

a. Recommendation - Director of Public Works

8. Chris Fonseca, d/b/a Chris Fonseca Construction Corporation, P.O. Box 1261 - request for a Drainlayer's License, **continued from January 6, 2010**

a. Recommendation - Director of Public Works

#### H. LICENSING BOARD - RENEWALS

1. Courtney Poissant for Anthony Poissant, d/b/a Common Pub & Grill, 421 Wood Street - six (6) month review of Sidewalk Use License

a. Recommendation - Town Administrator and Police Chief

#### (CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these petitions."**

1. Water Pollution Control Superintendent Calderiso - Sewer Permits
2. Public Works Director Serbst - Road Cut Permits

#### J. PETITIONS - OTHER

1. Gerald P. Romano, Chairman, Bristol Housing Authority, 1014 Hope Street - request for abandonment of portions of Davis Place, Dittmore Avenue, Paull Street, Sheffield Avenue, Slattery Street, "Temporary Right-of-Way", **call for a public hearing on December 8, 2010**

- a. Recommendation - Fire Chief
- 2. Frank J. Paulino, 52 Thompson Avenue - request for a handicap parking space in front of residence (52 Thompson Avenue), **1<sup>st</sup> reading**
  - a. Recommendation - Town Administrator and Police Chief
  - b. Recommendation - Director of Public Works
- K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION
  - 1. (Director of Community Development Williamson) re correspondence received by Craig S. D'Ambra concerning proposed open space donation of two (2) parcels of land located on Briar Road (paper street), Assessor's Plat 149, Lots 40 & 41
    - a. Director of Community Development Williamson and Principal Planner Tanner re recommendation to accept the above-mentioned open space donation
  - 2. RI Department of Environmental Management re request of Joshua Securo to alter freshwater wetlands for the purpose of constructing a single-family residence on Peck Avenue (comments and/or objections to be received by November 22, 2010)
  - 3. (Sandra Matrone Mack, Bond Counsel) re Reimbursement Resolutions pertaining to the open space land acquisition for the Perry/Castro Farm project
    - a. Town Treasurer Goucher re Reimbursement Resolution
  - 4. Councilwoman Parella re Christmas lights on lower State Street
- L. BILLS & EXPENDITURES
  - 1. Bid #704 - Design & Installation of Turn-Key Solar Array, Compost Facility (Amended



Specifications and Dates), **continued from  
September 15, 2010**

2. Bid #714 - Drainage Maintenance/Restoration,  
St. Mary's Cemetery

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this  
item on file."**

1. (Town Treasurer Goucher) re Revenue and  
Expenditure Statement, October 13, 2010

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Rita P. Ayres-Gaulin, years of  
service as Benjamin Church Senior Center  
Director
2. Commendation - Manuel Rodrigues, 2010 "Man of  
the Year", Bristol Sports Club

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and  
filed by Council)

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Resolution re conveyance of property located  
at 24 Verndale Circle to Generations, LLC  
(signed copy)
2. Town Administrator Mederos to DaPonte's  
Landscaping Services of Bristol, RI re award  
of Bid #706 - Drainage Improvements, Cedar  
Park Project (Fatima Drive)
3. Town Administrator Mederos to Yard Works,  
Inc. of Warwick, RI re award of Bid # 705 -  
2010 Fall Tree Planting
4. Council Clerk Cirillo to Public Works  
Director Serbst, et al re handicap parking  
space across from 82 Washington Street

5. Warrant - Peter Ferreira, First Alternate of the Economic Development Commission
6. Coastal Resources Management Council - Semi-Monthly Meeting, October 13, 2010
7. Town Administrator Mederos to Aquidneck Construction, Inc. of Portsmouth, RI re award of Bid #710 - Roadway Improvements, Thompson Avenue
8. Frank J. Champi, Principal, Lefkowitz, Garfinkel, Champi & DeRienzo P.C. to Town Administrator Mederos re correspondence concerning the request of Town Treasurer Goucher to delay commencement of audit fieldwork and the resignation of Joan M. Tracy, C.P.A./Senior Manager
9. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns re Gubernatorial Forum held on September 30, 2010 can be viewed at [www.rileague.org](http://www.rileague.org)
10. Don R. Boyce, Regional Administrator, Department of Homeland Security, Federal Emergency Management Agency Region 1 re approval of Town's Natural Hazard Mitigation Plan on September 30, 2010
11. William Leary, 9 Patricia Ann Drive to Jerry Meaney, Property Manager, North Farm Home Owner's Association, et al re disposal of landscaping materials and debris in Town's right of way
12. Coastal Resources Management Council - October 2010 Calendar (revised 10-5-2010)
13. Terrence Mercer, Associate Administrator, Division of Public Utilities and Carriers re request of Newporttravel, LLC to amend the start time of its Jitney tour service (public hearing to be held on October 15, 2010)
14. Michael Gerhardt, (Interim Executive Director, Mount Hope Trust in Bristol) re Board of Trustees' job description

15. (Bristol County Water Authority) re BCWA in the News, Miscellaneous Correspondence October 2010

**(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(office copy only)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Bristol Warren Regional School District - Schedule of Meetings, Week of October 4, 2010
2. Bristol Warren Regional School District Policy/Community Affairs Subcommittee - October 4, 2010
3. Post Retirement Benefits Fund - Board of Trustees - October 5, 2010
4. Harbor Commission - October 4, 2010
5. East Bay Energy Consortium - October 4, 2010
6. Conservation Commission - October 4, 2010
7. Recreation Board - October 12, 2010
8. Bristol County Water Authority Public Relations/Personnel Committee - October 7, 2010
9. Bristol County Water Authority Audit Finance Committee - October 7, 2010
10. Bristol County Water Authority Engineering Committee - October 7, 2010
11. Bristol County Water Authority Board of Directors - October 13, 2010
12. Zoning Board of Review - November 1, 2010
13. North and East Burial Ground Commission - October 25, 2010
14. Bristol Warren Regional School District - Schedule of Meetings, Week of October 11, 2010

15. Bristol Warren Regional School District  
Personnel/Contract Negotiation Subcommittee -  
October 13, 2010
16. Bristol County Water Authority - November  
2010 Meetings
17. Bristol Warren Regional School District -  
Schedule of Meetings, Week of October 18,  
2010
18. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - October 18,  
2010
19. Bristol Warren Regional School Committee  
Future Enrollment & Facilities Task Force -  
October 19, 2010
20. Bristol Warren Regional School Committee  
Personnel/Contract Negotiation Subcommittee -  
October 20, 2010

S. TOWN SOLICITOR

1. Assistant Town Solicitor Teitz re Town's  
motions and supporting memoranda filed for  
scheduled court hearings concerning Clipper  
Way (documents received at meeting of  
September 29, 2010)

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO
3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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**CITIZENS PUBLIC FORUM**

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ADJOURNED: \_\_\_\_\_

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